

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 6, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by FATHER JOSEPH TROY - St. Austin's Church.

Councilman White moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. HENRY MAUFRAIS appeared before the Council and outlined the history and transactions of the Travis County Water Control and Improvement District No. 5. (Report in full on file in City Clerk's Office) He stated the program had been temporarily held up when the City Manager indicated that the City would be unable to serve the District adequately due to a deficiency in main capacity to serve both the District and provide adequate water service to a large portion of Southwest Austin. He asked that the City Council request the City Manager to have prepared a contract for the sale of water similar to that entered into with Water District No. 4, with the necessary modifications discussed with the City Manager relative to the construction of the elevated storage tank and the large supply line necessary to meet the City's future Master Plan for the water system. Councilman Pearson was of the opinion the Board of Equalization of the District

was not pleased with the bond bid, and it would be necessary to have another bond issue. The City Manager reviewed the city's plan and what was necessary; and in the overall program for the next two or three years, there would be \$600,000 involved, but the immediate program would take \$175,000 to \$200,000. He stated the system could be served during winter time, but not during the summer and explained the need of the 5,000,000 gallon reservoir. Councilman Long thought the City Manager promised water to citizens in the southern part of the city and on the outside in six months when they connected with the District. He stated they were told they would not have any relief this year, but next year. Councilman Thompson inquired if the \$200,000 would put the 24" line to meet their 20" line, but leave out the big storage reservoir. It was stated it would. MR. EUGENE SANDERS, while favoring helping the people outside the city limits, stated there were people living in South Austin without water facilities; and that the future of the city was in South Austin. The Mayor stated the \$200,000 was needed and was not in sight right now, and he suggested that the Council see if there could be a way to obtain this money. Councilman Pearson moved that MR. MAUFRAIS' recommendation be studied and report back to him within two weeks in what will be possible to do. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. HENRY HOLEMAN, Austin Trades Council, requested permission for a Labor Day Parade. Councilman White moved that the Council grant this permit. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MRS. MAUDE PRIDGEN was disturbed over the lack of care of the old Oakwood Cemetery. She wanted the City to take this cemetery over under the perpetual care program. Councilman White stated he knew that city crews were working in the old part of the cemetery keeping it clean. Mrs. Pridgen was going to ask the County to take over this cemetery if the City did not keep it up. Councilman White reported that the individual graves were cared for by relatives and the individuals had to keep fresh sand on the graves. Councilman Long suggested that the City Manager investigate the situation and see if it could be improved. A lady speaking along with Mrs. Pridgen reported hydrants running all the time. This matter would be looked into also.

MR. TRAVIS HOWARD was recognized. He expressed appreciation of the courtesies extended the public in getting their needs taken care of by the Council.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in Redd Street, from Jinx Avenue easterly 808 feet the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Redd Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in Mt. Vernon Drive, from a point 15 feet north of Redd Street southerly 1230 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Mt. Vernon Drive.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in Nalide Street, from Jinx Avenue easterly 700 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Nalide Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in Philco Drive, from Mt. Vernon Drive easterly 420 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Philco Drive.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main on the west line of Cedar Street, from a point 23 feet south of the north property line of West 38th Street northerly to a point 6.5 feet south of the north property line of West 38th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in West 38th Street, from Cedar Street westerly 414 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said West 38th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in West 38th Street, from a point 6.5 feet south of the north property line of West 38th Street and 414 feet west of the west property line of Cedar Street southerly 16.5 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in Nash Avenue, from a point 125 feet east of Goodrich Avenue westerly 86 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Nash Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in Nasco Drive, from a point 68 feet north of Cavileer Avenue northerly 478 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Nasco Drive.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in Twin Oaks Drive, from a point 30 feet west of Vine Street easterly 1128 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Twin Oaks Drive.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in Vine Street, from a point 35 feet south of Twin Oaks Drive northerly 127 feet the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Vine Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in Pasadena Drive, from a point 37 feet east of Hardy Drive westerly 1008 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Pasadena Drive.

Said gas main described above shall have a cover of

not less than $2\frac{1}{2}$ feet.

(13) A gas main in Bedford Street, from a point 7.5 feet north of Euneva Street northerly 30 feet, the centerline of which gas main shall be 8.5 feet west of and parallel to the east property line of said Bedford Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, A. W. Thielepape is the Contractor for the remodeling of a building located at 521 Congress Avenue and desires a portion of the street space abutting Lot 6 and part of Lot 5, Block 56, in the Original City of Austin, Travis County, Texas, during the remodeling of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said A. W. Thielepape, the boundary of which is described as follows:

Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point 4 feet east of the east curb line; thence in a northerly direction and parallel with the centerline of Congress Avenue approximately 16 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said A. W. Thielepape, hereinafter termed "Contractor", upon the following express terms and conditions:

(1). THAT the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

(2). That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4). That "NO PARKING" signs shall be placed on the street side of the barricades.

(5). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after

the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment and other obstructions shall be removed not later than October 1, 1953.

(10). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. F. Johnson is the Contractor for the alteration of a building located at 503 East 3rd Street and desires a portion of the street space abutting Lot 7 and Lot 8, Block 14, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. F. Johnson, the boundary of which is described as follows:

Street Working Space

Beginning at the northwest corner of the above described property; thence in a northerly direction and at right angles to the centerline of East 3rd Street to a point 6 feet north of the south curb line; thence in an easterly direction and parallel to the centerline of East

3rd Street approximately 72 feet to a point; thence in a southerly direction and at right angles to the centerline of East 3rd Street to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. F. Johnson, hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2). That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4). That "NO PARKING" signs shall be placed on the street side of the barricades.

(5). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than October 1, 1953.

(10). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12). That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on April 20, 1951, by that certain instrument recorded in Volume 1150, pages 149 to 150, Deed Records of Travis County, Texas, the City of Austin was granted a drainage easement and right of way, in, upon and across certain tracts of land located in Travis County, Texas, such tracts of land being out of and a part of Block E of Plaza Place, a subdivision of a portion of the James P. Wallace Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Plaza Place of record in Book 4, pages 84 and 85 Plat Records of Travis County, Texas; and

WHEREAS, the portions of said easement hereinafter described are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the portions of such easement as follows:

No. 1 - The south five (5) feet of Lot 8, Block E, of the
aforementioned subdivision.

No. 2 - The north five (5) feet of Lot 7, Block E, of the
aforementioned subdivision.

No. 3 - The north five (5) feet of Lot 13, Block E, of the
aforementioned subdivision

No. 4 - The south five (5) feet of Lot 12, Block E, of the
aforementioned subdivision.

The motion, seconded by Councilman Thompson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Woodrow Patterson in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 718-C)

The motion, seconded by Councilman Thompson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council received the following letter:

"August 6, 1953

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
of Improving Lavaca Street (both sides)
from West 6th Street Alley to West
7th Street, being Unit 7 of Current
Improvement Program.

"The work of improving Lavaca Street (both Sides), from the north curb line of West 6th Street Alley to the south curb line of West 7th Street, known as Unit 7 in the current street improvement program, has been performed and completed by John R. Andrews in full compliance with the Contract, and the Plans and Specifications therein contained, dated May 19, 1952 between the City of Austin and John R. Andrews.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the Contract, Plans and Specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City Of Austin, Texas"

Mayor McAden introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING LAVACA STREET (BOTH SIDES) UNIT 7, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY JOHN ANDREWS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded, by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 22(f) OF ARTICLE IV RELATING TO TWO HOUR ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 22(f) OF ARTICLE IV RELATING TO TWO-HOUR LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilmen Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

The Council received the following resolution from the Library Commission:

"The members of the Austin Public Library Commission and the Library Staff join in mourning the death of its revered member, Mrs. Elizabeth Nevins Mather, widow of Dr. W. T. Mather, on May 11, 1953.

"Mrs. Mather was an enthusiastic pioneer of the American Association of University Women in the movement to establish in Austin its Public Library. Holding always to the broad concept of the nature of its service, she solicited books and funds as a beginning stimulus to the endeavour, and later, as a Commission Member, she was to participate in every phase of the expansion of its functions. She was particularly active on the Committee for the Selection of Books, in helping to establish the Carver Branch to serve the colored citizens of Austin, and in procuring the Bookmobile which serves the outlying communities of Travis County.

"Mrs Mather's service was continuous from its beginning in 1926. She was appointed a Member of the Library Commission in 1930, and we, her associates, are happy with her that she was yet an active Member of the Commission at the time of her death. Her wisdom, based upon experience, and her youthful zest were always a source of inspiration to us.

"To have served with Mrs. Mather on the Library Commission is a rich and rewarding experience. She showed us the instrumentality of books in bringing pleasure and knowledge to those to whom we make them available through the Library, and hence has set an example which we hope to emulate.

In order to perpetuate these sentiments, they shall be spread upon the permanent records of the Austin Public Library Commission, a copy sent to the members of her family, and a copy thereof sent to the Council of the City of Austin.

"Offered for consideration and adoption this 15th day of July, 1953.

(Sgd) Mrs. A. W. Harris

(Sgd) William S. Weeg

(Sgd) Mrs. Claude Hill

The Resolution Committee"

Councilman Long moved that the communication from the Library Board be accepted and made a part of the Minutes of the Meeting of this date. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the name of Rufus D. White are incorrect for the following reasons:

"Mr. Rufus D. White has stated he erroneously rendered for the year 1952 merchandise and supplies inadvertently and that actually as of January 1, 1952, he did not own any merchandise or supplies.

"I recommend that I be authorized to adjust the assessed valuations on such property as follows:

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>RECOMMENDED VALUE</u> |
|-------------|--------------------------------|--------------------------------|--------------------------|
| 1952 | Tools and Equipment | 30 | 30 |
| 1952 | Merchandise and Supplies | 120 | 0 |

(Sgd) T. B. Marshall
City Tax Assessor and Collec-
tor"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investi-
gation of the tax assessments hereinafter set forth in the name of Rufus D.
White, and has found the same to be erroneous for the reasons stated in his
certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has
recommended the adjustments, Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessments for the years shown be and the same
are, hereby adjusted and corrected to fix the assessed values therein as
indicated.

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>RECOMMENDED VALUE</u> |
|-------------|--------------------------------|--------------------------------|--------------------------|
| 1952 | Tools and Equipment | 30 | 30 |
| 1952 | Merchandise and Supplies | 120 | 0 |

And the City Tax Assessor and Collector is authorized and directed to
make such changes in the tax rolls.

The motion, seconded by Councilman Thompson, carried by the following vote
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following certificate from the City Tax
Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter des-
cribed in the name of S. W. Glass are incorrect for the following reasons:

"Mr. Glass has submitted a signed statement explaining that he inad-
vertently rendered some equipment for the tax rolls for the years 1948 and
1949, although actually he was a nonresident of Austin as of the tax levy
dates involved and did not own any equipment located in the City of Austin.

"I Recommend that I be authorized to remove the assessed valuations on
such property as follows:

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>RECOMMENDED VALUE</u> |
|-------------|--------------------------------|--------------------------------|--------------------------|
| 1948 | Equipment | 670 | 0 |
| 1949 | Equipment | 670 | 0 |

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth in the name of S. W. Glass and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated.

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>RECOMMENDED VALUE</u> |
|-------------|--------------------------------|--------------------------------|--------------------------|
| 1948 | Equipment | 670 | 0 |
| 1949 | Equipment | 670 | 0 |

And the City Tax Assessor and Collector is authorized and directed to make such changes in the tax rolls.

The motion, seconded by Councilman Thompson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the of H & N Grill are incorrect for the following reasons:

"The owner failed to declare his estimate of assessable values for the years 1948 and 1949. In lieu of such rendition, the Tax Department placed an arbitrary value of \$3,000 on the merchandise, furniture and fixtures. A sworn inventory has recently been submitted making it manifest that the original assessment was excessive.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Terrell Heights, Section Two", approved by the City Planning Commission of the City of Austin on May 14, 1953, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long stated she was disappointed in finding out that the rate ordinance contained a clause changing the penalty date from 20 days to 15 from the reading date. She stated she had had many calls, and that besides having their electric rates increased 10%, the people had lost money because of the change on this discount date. She stated no one had explained this to the Council.

Mayor McAden then introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE
PASSED BY THE CITY COUNCIL ON JULY 9, 1953,
AND RECORDED IN BOOK "S" OF THE ORDINANCE RECORDS
OF THE CITY OF AUSTIN WHICH AMENDS SECTION 1
OF AN ORDINANCE PRESCRIBING AND LEVYING RATES
AND CHARGES FOR SALES MADE AND SERVICES REN-
DERED IN CONNECTION WITH THE ELECTRIC LIGHT AND POWER
WORKS AND SYSTEM OF THE CITY OF AUSTIN, WHICH
WAS PASSED BY THE CITY COUNCIL ON SEPTEMBER 1,
1949, AND RECORDED IN BOOK "O", PAGES 296-300,
INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY
OF AUSTIN; AND SUSPENDING THE RULE REQUIRING
THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Long moved that the Fire Extinguisher Ordinance introduced July 23, 1953, be amended to read, on Page 10, Section (b) last sentence, "de novo" and striking out "governed by the substantial evidence rule". The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor then brought up the following Ordinance as amended for its first reading:

AN ORDINANCE PRESCRIBING REGULATIONS FOR INSTALLATION AND MAINTENANCE OF FIRE PROTECTIVE DEVICES IN VARIOUS TYPES OF OCCUPANCIES AND USES; REQUIRING REPORTS TO THE FIRE MARSHALL OF BUILDINGS UNDERGOING REPAIRS AND ALTERATIONS; PRESCRIBING PENALTIES; PROVIDING THE LICENSING AND BONDING OF PERSONS ENGAGED IN THE BUSINESS OF SELLING OR SERVICING FIRE EXTINGUISHERS; PROVIDING FOR ENFORCEMENT OF ORDINANCE BY INJUNCTION; REPEALING PART OF A CERTAIN ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Long reported that the former Council had asked the Legislature to appropriate certain amounts of money to pave thoroughfares along state owned property. When it became apparent the bills would not make it through the Legislature, she and SENATOR JOHNNY B. ROGERS started working on a different plan to get some relief through the Highway Department. She read the MINUTES of the Highway Department of the meeting they had with the Department, as follows:

"City officials have requested cooperation of the State Highway Department in widening and improvement of US 183 on West 45th Street, as well as extension of FM 969 and cooperative improvement of same on East 19th Street.

"Whereas, State Highway Department in cooperation with Travis County and the city will soon proceed with relocation and construction of US 183 from a point at or near the Payton's Gin curve to an intersection with the present route of US 81 near the north city limits of Austin, and thence following present US 81 for approximately one mile to Airport Boulevard, and thence along Airport Boulevard to and beyond Montopolis Bridge;

"Whereas, it appears that mutual agreement should be reached on all problems concerning these highway routes at the same time.

Tentative proposal. The State Highway Department will:

"1. Extend the designation of its FM 969 to connect with the Austin Expressway at its intersection with 19th Street.

"2. Participate under customary municipal policy in the improvement of said proposed FM 969 on East 19th, for approximately 1.6 miles, at an estimated cost to the State of \$59,325.

"3. Recondition, widen and resurface US 183 on West 45th, from Burnet Road to Guadalupe St., .6 mile, without concrete curb and gutter, at

an estimated cost of \$18,000, all cost to be borne by the State.

"The city will:

"1. Agree to the improvement of proposed FM 969 on East 19th and furnish its share of the cooperative items required under the municipal policy, estimated to cost \$23,375.

"2. Agree without recourse to the assumption of all future obligations relative to the present routing of US 183 from Payton's Gin curve along Burnet Road and 45th Street, at such time as the relocation of US 183 shall be completed and placed under the wheels of traffic by the State Highway Department, extending from the Payton's Gin Curve to a point near the north city limits of Austin, thence along Airport Boulevard, as heretofore described.

"After acceptance by the City, detailed actions will be taken. October 1 deadline."

Councilman Long moved, and the Council concurred that the Council accept the report and instruct the City Manager to work out the details with the State Highway Department.

Councilman Thompson moved that SENATOR ROGERS be commended for assisting the City Council in the solution of some of its problems. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

SENATOR JOHNNY B. ROGERS stated it was hoped to take care of this matter in another way, but he was grateful to the Council for picking up where other methods failed and doing a good job and cooperating with the State. He stated it was a fine example of different levels of government getting together and working out their problems. The Mayor personally thanked Councilman Long for accepting the assignment and for doing a good job. Councilman White joined him.

Councilman Long reported numerous calls from people all over the city regarding excessive water bills, and they felt they were not using all the water. When they come to the City Hall for adjustment they are passed from one to another. Mr. Wigington finally promises to read the meter, but they never see the meter reader, and they have no assurance that their bills are what they should be. She stated if all the mistakes continue, another method of billing will have to be obtained. Councilman White had a few complaints from some men on Perry Lane. Councilman Thompson suggested that the City Manager make an immediate investigation of the meter-reading and give the Council some comment on it. Councilman Long

stated one man had a \$138.00 water and light bill; another had a bill 300% more than last month's and she did not believe the people were using that much water. The City Manager stated the water consumption of last month was 42% more than June a year ago, and the bills would be higher. Against May of this year the percentage was even greater. He stated there may be mistakes, and asked that the individual complaints be given to him to check. Councilman Pearson reported one complaint he had, but the gentleman had called him back and complimented the excellent manner in which the administration had looked into the matter. Councilman Thompson was interested in receiving a report on the meter reading business and the service of the Water Department when people come in with their complaints.

The Mayor announced that the electric production was up 18%. He stated the city was growing and he was happy to have the open house at the Power Plant beginning the week of August 17th.

Councilman Long asked about the policy of deposits for water and light and if there was a policy set for transferring meters. The City Manager explained that the meter could be transferred if there was an initial deposit. If a person had a deposit, and the City has a record, he could make an affidavit that he had lost his receipt and get his deposit returned. Councilman Long stated one negro was treated very badly about the deposit. She wanted her deposit transferred, and they transferred it to the same number but different street. Then they told her when she paid her deposit they would connect the service. Her husband not knowing the details put up \$10.00. She was trying to get the \$10.00 back because she had her deposit already, and she was told she could not have any of it. Councilman White stated he bought a place from MR. FRITZ BOHN, and he never transferred the meter from his name. The City Manager stated there would be difficulty in the matter of refund in cases of that kind.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Planning Commission:

| | | |
|---------------------|--------------------------|--------------------|
| MRS. GAY WELCH and | | From "B" Residence |
| MRS. JEWEL E. BROWN | 1006-08 West 12th Street | To "C" Commercial |

The Council set the following application for change of zoning for public hearing at 11:00 A.M., August 27th, 1953:

| | | |
|----------------|------------------|--|
| T. B. MARSHALL | 2301 Leon Street | From "A" Residence |
| | | 1st Hgt & Area |
| | | To "B-1" Residence |
| | | 2nd Hgt. & Area |
| | | RECOMMENDED by the Planning Commission |

Regarding the Fire Extinguisher Ordinance, Councilmen Long and Pearson expressed appreciation to Mr. Lorey and others for their good suggestions offered.

There being no further business, the Council, on Councilman Pearson's motion, adjourned at 12:00 Noon, subject to the call of the Mayor.

APPROVED:



Mayor

ATTEST:



City Clerk